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FORM**

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Total Number of Pages in This Submission

13

Application Number

10/039,799

Filing Date

January 4, 2002

First Named Inventor

James Bruce Pitner

Art Unit

1654

Examiner Name

Teller, R.

Attorney Docket Number

0709.018.0002

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/  
Incomplete ApplicationResponse to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

After Allowance communication  
to GroupAppeal Communication to Board  
of Appeals and InterferencesAppeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please  
Identify below):**Remarks**This submission is in response to the Notice of Non-Compliant Amendment,  
mailed August 2, 2004.It is not believed that any extensions of time are needed, beyond those that  
may have been provided in the Reponse to Office Action, dated July 21, 2004.  
If, however, additional extensions of time are necessary to avoid abandonment,  
then extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and  
any fees required, including fees for net addition of claims, are hereby  
authorized to be charged to account number 50-3120.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

Todd B. Buck; Reg. No. 48,574

Signature

Date

August 18, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with  
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Todd B. Buck

Signature

Date

August 18, 2004

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Atty. Dkt. No. 0709.018.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pitner *et al.*

Appl. No. 10/039,799

Filed: January 4, 2002

For: Binding Protein as Biosensors

Art Unit: 1654

Examiner: Teller, R.

Atty. Docket: 0709.018.0002

**Reply and Amendment under 37 C.F.R. §§1.111 and 1.121 and Reply to Notice of Non-Compliant Amendment**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This reply and amendment is submitted under 37 C.F.R. §§1.111 and 1.121 and is responsive to the Office Action mailed April 22, 2004, as well as the Notice of Non-Compliant Amendment, mailed August 2, 2004.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.